

09/617545

## Combined Declaration for Patent Application and Power of Attorney

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and that I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

(insert full title here) **HEDGEHOG PROTEIN**

the specification of which (check one)

☒ is attached hereto;

☐ was filed in the United States under 35 U.S.C. §111 on \_\_\_\_\_, as  
USPN \_\_\_\_\_; or

☐ was/will be filed in the U.S. under 35 U.S.C. §371 by entry into the U.S. national stage of an intentional (PCT) application, PCT/ \_\_\_\_\_; filed \_\_\_\_\_, entry requested on \_\_\_\_\_; national stage application received  
USPN \_\_\_\_\_; §371/§102(e) date \_\_\_\_\_ (\*if known),  
and was amended on \_\_\_\_\_ (if applicable).

(include dates of amendments under PCT Art. 19 and 34 if PCT)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above; and I acknowledge the duty to disclose to the Patent and Trademark Office (PTO) all information known by me to be material to patentability as defined in 37 C.F.R. § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §§ 119, 365 of any prior foreign application(s) for patent or inventor's certificate, or prior PCT application(s) designating a country other than the U.S., listed below with the "Yes" box checked and have also identified below any such application having a filing date before that of the application on which priority is claimed:

<u>121578/1997</u>	<u>Japan</u>	<u>25th April 1997</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day Month Year Filed)	YES	NO
<u>unallotted (Applicant's ref:10054802)</u>	<u>Japan</u>	<u>14th April 1998</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(Day Month Year Filed)	YES	NO

I hereby claim the benefit under 35 U.S.C. § 120 of any prior U.S. non-provisional Application(s) or prior PCT application(s) designating the U.S. listed below, or under § 119(e) of any prior U.S. provisional applications listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in such U.S. or PCT application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose to the PTO all information as defined in 37 C.F.R. §1.56(a) which occurred between the filing date of the prior application and the national filing date of this application:

_____ (Application Serial NO.)	_____ (Day Month Year Filed)	_____ (Status: patented, pending, abandoned)
_____ (Application Serial NO.)	_____ (Day Month Year Filed)	_____ (Status: patented, pending, abandoned)

I hereby appoint the following attorneys, with full power of substitution, association, and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SHERIDAN NEIMARK, REG. NO. 20,520 - ROGER L. BROWDY, REG. NO. 25,618 - ANNE M. KORNBAU, REG. NO. 25,884  
NORMAN J. LATKER, REG. NO. 19,963 - IVER P. COOPER, REG. NO. 28,005 - ALLEN C. YUN, REG. NO. 37,971\*  
NICK S. BROMER, REG. NO. 33,478 - \*Patent Agent

ADDRESS ALL CORRESPONDENCE TO  
BROWDY AND NEIMARK, P.L.L.C.  
419 Seventh Street, N.W.  
Washington, D.C. 20004

DIRECT ALL TELEPHONE CALLS TO:  
BROWDY AND NEIMARK  
(202) 628-5197

The undersigned hereby authorizes the U.S. Attorneys or Agents named herein to accept and follow instructions from SUMA PATENT OFFICE as to any action to be taken in the U.S. Patent and Trademark Office regarding this application without direct communication between the U.S. Attorney or Agent and the undersigned. In the event of a change of the persons from whom instructions may be taken, the U.S. Attorneys or Agents named herein will be so notified by the undersigned.

Title: **HEDGEHOG PROTEIN**

U.S. Application filed \_\_\_\_\_, Serial No. \_\_\_\_\_

PCT Application filed \_\_\_\_\_, Serial No. \_\_\_\_\_

I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

FULL NAME OF FIRST INVENTOR Toshio ARIYASU	INVENTOR'S SIGNATURE <i>Toshio Ariyasu</i>	DATE <i>April 15, 1998</i>
RESIDENCE Okayama, Japan	CITIZENSHIP Japanese	
POST OFFICE ADDRESS 427-2, Ohfuku, Okayama-shi, Okayama, Japan		
FULL NAME OF SECOND JOINT INVENTOR Shuji NAKAMURA	INVENTOR'S SIGNATURE <i>Shuji Nakamura</i>	DATE <i>April 15, 1998</i>
RESIDENCE Okayama, Japan	CITIZENSHIP Japanese	
POST OFFICE ADDRESS 525-3, Kuwano, Okayama-shi, Okayama, Japan		
FULL NAME OF THIRD JOINT INVENTOR Kunzo ORITA	INVENTOR'S SIGNATURE <i>Kunzo Orita</i>	DATE <i>April 15, 1998</i>
RESIDENCE Okayama, Japan	CITIZENSHIP Japanese	
POST OFFICE ADDRESS 2-34, 1-chome, Nishizaka, Tsushima, Okayama-shi, Okayama, Japan		
FULL NAME OF FOURTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF FIFTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF SIXTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		
FULL NAME OF SEVENTH JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
RESIDENCE	CITIZENSHIP	
POST OFFICE ADDRESS		

ALL INVENTORS MUST REVIEW APPLICATION AND DECLARATION BEFORE SIGNING. ALL ALTERATIONS MUST BE INITIALED AND DATED BY ALL INVENTORS PRIOR TO EXECUTION. NO ALTERATIONS CAN BE MADE AFTER THE DECLARATION IS SIGNED. ALL PAGES OF DECLARATION MUST BE SEEN BY ALL INVENTORS.



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

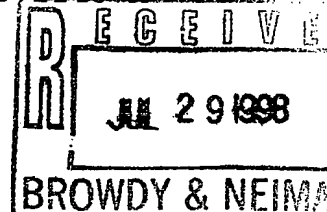
JULY 23, 1998

PTAS

BROWDY & NEIMARK, P.L.L.C.  
NORMAN J. LATKER  
419 SEVENTH STREET, N.W.  
SUITE 300  
WASHINGTON, DC 20004



\*100721437A\*



UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 05/04/1998

REEL/FRAME: 9183/0493  
NUMBER OF PAGES: 2

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

ARIYASU, TOSHIO

DOC DATE: 04/15/1998

ASSIGNOR:

NAKAMURA, SHUJI

DOC DATE: 04/15/1998

ASSIGNOR:

ORITA, KUNZO

DOC DATE: 04/15/1998

ASSIGNEE:

KABUSHIKI KAISHA HAYASHIBARA

SEIBUTSU

2-3-, 1-CHOME, SHIMOISHII, OKAYAMA-SHI

OKAYAMA, JAPAN

SERIAL NUMBER: 09063778

PATENT NUMBER:

FILING DATE: 04/22/1998

ISSUE DATE:

9183/0493 PAGE 2

SEDLEY PYNE, PARALEGAL  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

# ASSIGNMENT

(1-5) Insert Name(s) of Inventors

- (1) Toshio ARIYASU
- (2) Shuji NAKAMURA
- (3) Kunzo ORITA
- (4) \_\_\_\_\_
- (5) \_\_\_\_\_

In consideration of the sum of ten dollars (\$10.00) and other good and valuable considerations paid to each of the undersigned, the receipt of which is hereby acknowledged, each of the undersigned agrees to assign, and hereby does assign, and set over to

(6) Insert name of Assignee

- (6) KABUSHIKI KAISHA HAYASHIBARA SEIBUTSU KAGAKU  
KENKYUJO

(7) Insert address of Assignee

- (7) 2-3, 1-chome, Shimoishii, Okayama-shi Okayama, Japan

(hereinafter designed as the Assignee) the entire right, title and interest in the invention known as

8) Insert identification, such as Title & Case Number

- (8) HEDGEHOG PROTEIN

for which the undersigned has executed an application for patent in the United States of America

(9) Insert Date of Signing of Application

- (9) on even date herewith

(10) Alternative identification for filed applications

- (10) U.S. application Serial Number 09/063,778  
filed April 22, 1998

The undersigned further agrees to assign, and hereby does assign, transfer and set over to Assignee all applications for patent and any original and reissued Letters Patents granted for said invention and all divisions and continuations of said applications, including the subject matter of any and all claims which may be obtained in every such patent; and the right, where such right can be legally exercised, in his name to apply for and obtain patents in countries foreign to the United States, including the full right to claim for any such application the benefits of the International Convention as fully and entirely as he or she could have done if the application had been filed in his or her name; and the entire interest in any Letters Patents which may be granted on any such applications in such foreign countries; and he or she does authorize and request the Commissioner of Patents and Trademarks of the United States, and any official of any country or countries foreign to the United States whose duty it is to issue patents on applications as aforesaid, to issue the said Letters Patents to the said Assignee, its successors, assigns, nominees or other legal representatives, as Assignee and owner of the said entire interest; and he or she does covenant that he or she has full right to convey the said entire interest herein assigned and that he or she has not executed and will not execute any agreement in conflict herewith; and he or she agrees that he or she will communicate to said Assignee, its successors, assigns, nominees or other legal representatives, all facts known to him or her respecting said inventions, whenever requested, and testify in any legal proceeding, sign all lawful papers, execute and deliver all divisional, continuing, reissue and foreign applications, make all rightful oaths and do all lawful acts requisite for the applications for such divisional, continuing, reissue or foreign applications, or the procuring thereof, and also to execute separate assignments in connection with any such applications as the Assignee may deem necessary or expedient or essential to the full protection and title in and to the invention hereby transferred; and that if and when said Assignee, its successors, assigns, nominees or other legal representatives desire to file a disclaimer relating thereto, he or she will, upon request, sign and deliver all lawful papers requisite for the filing of such disclaimer; and he or she further covenants and agrees that he or she will at any time, upon request, do everything possible to aid said Assignee, its successors, assigns, nominees or other legal representatives either in his or her or Assignee's own name, to apply for, obtain and enforce proper patent protection for said inventions in all countries, according to the International Convention of 1883 and all the laws and treaties in force, all without further consideration but at the expense of said Assignee, its successors, assigns, nominees or other legal representatives.

The undersigned hereby grant(s) the firm of Browdy and Neimark the power to insert on this assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

This assignment shall be binding upon the heirs, executors, administrators, and/or assigns of the undersigned, and shall inure to the benefit of the heirs, executors, administrators, and/or assigns of the Assignee.

In witness whereof, executed by each of the undersigned on the date opposite the name of the undersigned,

- (1) Date April 15, 1998 Signature of Inventor Toshio Ariyasu
- (2) Date April 15, 1998 Signature of Inventor Shuji Nakamura
- (3) Date April 15, 1998 Signature of Inventor Kunzo Orita
- (4) Date \_\_\_\_\_ Signature of Inventor \_\_\_\_\_
- (5) Date \_\_\_\_\_ Signature of Inventor \_\_\_\_\_

Before me personally appeared \_\_\_\_\_

(Names of Inventors signing this notary)

to me known to be assignor(s) described above, who subscribed the foregoing instrument in my presence this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
(Notary Public)

09/617,545

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

ATTY.'S DOCKET: ARIYASU=1A

In re Application of: ) Art Unit:  
Toshio ARIYASU ) Examiner:  
Appln. No.: Not yet assigned ) Washington, D.C.  
Division of USSN 09/063,778 )  
Filed: On even date herewith ) July 14, 2000  
For: HEDGEHOG PROTEIN )

#2

NOTICE OF ASSOCIATION WITH CUSTOMER NUMBER AND CHANGE OF  
CORRESPONDENCE ADDRESS

Honorable Commissioner of Patents and Trademarks  
Washington, D.C. 20231

Sir:  
Please associate this application with customer number  
001444. Please change the correspondence address of the present  
application to that associated with said customer number 001444  
and recognize only the practitioners associated therewith. Our  
customer number record shows that the present address of Browdy  
and Neimark, P.L.L.C. is:

BROWDY AND NEIMARK, P.L.L.C.  
624 Ninth Street, N.W.  
Suite 300  
Washington, D.C. 20001

Our telephone number and facsimile number are set  
forth below.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By \_\_\_\_\_  
Sheridan Neimark  
Registration No. 20,520

SN:jec  
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F:\S\SUMA\ariyasula\pto\changeadnot.doc